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EAST TIMOR

UPDATE ON HUMAN RIGHTS CONCERNS SINCE AUGUST 1990

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This report provides a brief update on Amnesty International's concerns in East Timor since August 1990, when the organization testified before the United Nations Special Committee on Decolonization (see East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization ASA 21/09/90).

The human rights situation in East Timor has not improved since August. The organization remains concerned about a continuing pattern of serious violations described in its August 1990 statement: persistent reports of extrajudicial executions, the systematic use of torture against political detainees by members of the security forces, hundreds of unresolved cases of "disappearance" and the continuing imprisonment of at least 10 alleged supporters of Fretilin sentenced in trials which Amnesty International believes were not fair.

Amnesty International is increasingly concerned about a pattern of short-term detention, ill-treatment and torture of alleged political opponents of Indonesian rule in East Timor which has gained additional momentum since August. It believes that many of those detained may be or may have been prisoners of conscience and it is alarmed by the number of detainees whose whereabouts remain unknown several days or weeks after their arrest by security forces.

The organization is also concerned by the Indonesian Government's continued refusal to allow human rights organizations, including Amnesty International, to visit East Timor to investigate human rights violations. It notes that this refusal is inconsistent with the government's frequent public assertions that East Timor is "open" and that foreign observers and international organizations are welcome to visit.

This summarises a 5-page document, East Timor: Update on Human Rights Concerns Since August 1990 AI Index: ASA 21/01/91) issued by Amnesty International in January 1991. Anyone wanting further details or to take action on this issue should consult the full document.

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EAST TIMOR:
UPDATE ON HUMAN RIGHTS CONCERNS SINCE AUGUST 1990

1. Introduction

This report provides a brief update on Amnesty International's concerns in East Timor since August 1990, when the organization testified before the United Nations Special Committee on Decolonization (see East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization ASA 21/09/90).

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The organization is also concerned by the Indonesian Government's continued refusal to allow human rights organizations, including Amnesty International, to visit East Timor to investigate human rights violations. It notes that this refusal is inconsistent with the government's frequent public assertions that East Timor is "open" and that foreign observers and international organizations are welcome to visit.

2. Short-term Detention, Ill-treatment and Torture

Previous Amnesty International reports have described a pattern of short-term detention, torture and ill-treatment of alleged political opponents of Indonesian rule in East Timor (see East Timor: Short-Term Detention and Ill-treatment, ASA 21/02/90 and East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization, ASA 21/09/90). Suspects are typically held incommunicado in police or military detention centres or unofficial safehouses for periods ranging from a few hours to several weeks. Most undergo physical and psychological abuse before being released without formal charge. A minority are held for longer periods but few are formally charged or tried. In Amnesty International's view, the pattern appears as a systematic strategy to silence real or suspected political opponents of the government and to obtain political intelligence through coercion and intimidation.

Amnesty International has learned the names of more than 100 people, most of them students, young people and civil servants, detained in the past six months for their alleged involvement in apparently peaceful pro-independence demonstrations or related political activities. Many of those detained have reportedly been ill-treated or tortured in custody and at least five have been hospitalized as a result of their injuries. The forms of ill-treatment and torture inflicted include beatings with iron bars, batons and fists, burning with lighted cigarettes, slashing with razor blades and immersion for long periods in fetid water. The testimony of one East Timorese detained and tortured by security forces in November 1990 is reproduced in Appendix I.

In view of past evidence and persistent reports that suspected political opponents of Indonesian rule in East Timor have been seriously ill-treated or tortured while under interrogation, Amnesty International is seriously concerned for the safety of all those detained for questioning, however briefly, by members of the security forces in connection with their alleged pro-independence activities.

Amnesty International believes that many of those detained in recent months may be or have been prisoners of conscience. Though the majority appear to have been released, at least 20 were believed still to be in custody in December 1990, some of whom had been in custody for several weeks. They were held in various military and police detention centres and unofficial safehouses in the town of Dili and the districts of Baucau, Lospalos, Viqueque, Maliana and Liquisa. In Dili detainees are frequently taken for interrogation to the Wisma Senopati I or Wisma Senopati II, buildings used by Indonesian military intelligence. After a period of interrogation, detainees are sometimes taken to the main police station in Dili (POLRES) where they may be placed in a cell for a matter of days or weeks before being released. In the outlying districts, political detainees are often interrogated and imprisoned at the headquarters of the District Military Command (KODIM).

The most recent wave of detentions began following a large pro-independence demonstration which took place shortly after the celebration of a Catholic Mass in Lecidere, Dili, on 4 September 1990. Although there were reportedly no arrests made at the time of the demonstration, dozens of young people and students were said to have been detained in subsequent days and weeks. In October Indonesian security forces conducted raids on a number of schools in Dili where students had allegedly expressed pro-independence sympathies. Independent sources said that more than 50 people were detained during the

month. In late October Indonesian military authorities in East Timor confirmed that 32 people had been detained for questioning in previous weeks and said that 14 remained in custody as of 20 October. Three days later another 13 people, including a girl aged 12 and several high school students, were detained by security forces. At least 50 others were reportedly arrested in Dili, Liquisa, Ainaro and Motael during November. Among those detained were young people who had sought refuge at the parish churches of Motael and Ainaro following the arrests of October.

Among those arrested in September and November 1990 was Aleixo Gama, a student at the day school Externato San Jose, who had been detained on two previous occasions, on 17 January and 4 June 1990. He was reportedly tortured after his arrest by Indonesian security forces on 10 September. Eyewitnesses who saw him in custody in September said that he bore signs of torture. He had reportedly been immersed in a tank of water: his face was swollen and had cuts and bruises and he was extremely weak from lack of food. He was reportedly released some time in late October or early November but was arrested again in Motael on 19 November together with at least eight others who had sought refuge at the parish church there. Aleixo Gama and three others -- Augusto Mausiri, Jose Antonio and Carlos Aleong -- were said to have been seriously ill-treated at the time of their arrest. According to reports all four were cut with razors and one, Augusto Mausiri, was burned with a lighted cigarette. Aleixo Gama was reportedly admitted to the military hospital in Dili on the same day.

Dozens of people, many of them local civil servants and teachers, were arrested in the district of Liquisa in the last three weeks of November, reportedly accused of sympathizing with Fretilin. At least four, Filomeno Oliveira, Gregorio dos Santos, Carlito dos Santos and Jorge Goncalves, were said to have been transferred to Comarca prison in Dili, but it was not known whether they had been formally charged. Similar arrests took place in other districts. In December a civil servant in the district of Maliana and his younger brother were arrested by military (KODIM 1636) personnel and accused of involvement in pro-independence activities. Both Adao and Carlos da Purificacao were reportedly beaten at the time of their arrest, interrogated and placed in a cell at the KODIM. Amnesty International is investigating the reasons for the arrest of these men, and others arrested for similar reasons, to determine whether they are prisoners of conscience, imprisoned for their non-violent political activities or beliefs.

3. Unacknowledged Detention, "Disappearances" and Extrajudicial Executions

Amnesty International is deeply concerned at the number of persons reported to be held in unacknowledged detention, some of whom may have "disappeared". According to reports, the whereabouts of more than 20 of those detained between September and December 1990 were unknown several days after they were taken into custody. Amnesty International believes that the majority of those detained in recent months may already have been released. Yet because political detainees are frequently held in incommunicado detention and because the authorities seldom make public the names of those detained or released, the whereabouts and the fate of detainees may remain unclear for some time.

Amnesty International has documented a number of cases of extrajudicial killing by members of the security forces in East Timor over the past year. Some of these are described in the organization's statement to the United Nations Special Committee on Decolonization.

Since August Amnesty International has received dozens of additional reports of unlawful killings by security forces in the territory. Among the reported victims was Kasa Bui, a woman aged 30 from Ainawain in the district of Viqueque, who was reportedly raped, killed and dismembered by personnel of the 509th Battalion on 29 August 1990. There have also been reports that some of those detained in the past six months have been killed in custody or have died from injuries after being tortured.

These reports have been difficult to verify, in part because no mechanism yet exists for the systematic reporting of human rights violations in East Timor. However, in view of the evidence of past extrajudicial killings and the inherent gravity of the current allegations, Amnesty International believes that the government has an obligation to investigate promptly all such reports and to make public the results of any investigations.

4. Amnesty International and the Government of Indonesia

Amnesty International wrote to the Indonesian Government in December 1990 requesting information about the whereabouts and legal status of all those detained by security forces in East Timor in connection with the various pro-independence demonstrations and activities since October 1989. It asked to be informed whether any of those detained remained in custody and urged that anyone held solely because of their non-violent political activities or beliefs be immediately and unconditionally released. By the end of January 1991, however, the government had not responded.

In the same communication Amnesty International reiterated earlier requests for information concerning the results of investigations made into the apparent extrajudicial executions mentioned in its reports, or indeed into any others where investigations may have been conducted. It specifically requested information concerning the measures taken to bring to justice those implicated in the extrajudicial execution of Candido Amaral, described in the organization's statement to the United Nations Special Committee on Decolonization. Unfortunately, the government had not responded to that request by the end of January 1991.

Amnesty International has repeatedly called on the Indonesian Government to demonstrate its commitment to the protection and promotion of human rights in East Timor by permitting international human rights organizations, including Amnesty International, to visit the territory in an official capacity, and on a regular basis, in order to monitor the human rights situation there. In spite of such requests Amnesty International has not yet been able to visit East Timor.

In a meeting with Indonesian Government representatives in October 1990 Amnesty International reiterated its request to visit East Timor. The government representatives said that it was "too early" for such a visit but did not give reasons for this assessment. Following that meeting Amnesty International wrote to the government proposing a round of preliminary talks on the question of human rights prior to a visit to East Timor, but by the end of January the government had not responded.

The government's persistent refusal to permit Amnesty International access to the territory stands in marked contrast to its frequent public assertions that East Timor is "open" and that foreign observers and international organizations are welcome to visit.

Appendix I

Testimony of an East Timorese Man Detained by Security Forces in November 1990

(translated from Indonesian)[1]

This is a statement regarding my arrest:

I was arrested on 3 November 1990 at 11:20 pm at the home of my aunt. They broke down the door of my aunt's house before coming in. They beat me without mercy. The instruments they used included: an iron rod, a crow-bar, a knife and a wooden baton.

They took me to the office of the Intelligence Command at Senopati I. The punishment was even worse there. They beat me again and again. My face and my nose were busted -- there was blood everywhere. My face was full of blood, covered with blood.

The same night they threw me into a truck and drove me to the police station (POLRES). In the truck they beat me again in the head and the chest until I fell unconscious. When we arrived at the police station I didn't know where I was. They put me in a cell. They removed my belt, tied it around my neck and pulled me along with it. I was nearly unconscious, my body felt half-dead. I was covered in blood and couldn't walk.

On 4 November 1990 at about 11pm I was removed from the cell at the police station and taken to Senopati II where I was interrogated... I remained at Senopati II for eight days because I was too ill to return to the cell at the police station. My legs were badly injured and my chest was painful. I was transferred to a cell at the police station on 12 November 1990. There I was given only a small amount of food and water; the water was from the toilet. While in the cell my injuries grew worse.

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[1] The original testimony provides details of the identity of the detainee which, in the interest of his security, are not reproduced here.